
HOUSE BILL No. 1552

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-1.1; IC 14-8-2; IC 14-10-2-5; IC 14-16; IC 14-19; IC 14-22; IC 14-24-10; IC 14-26-2; IC 14-27-7.5; IC 14-31-3-8; IC 14-37-4; IC 25-36.5-1.

Synopsis: Natural resources issues. Provides for the special property tax assessment for the wildlands program. Converts property under the wildlife habitat program to the wildlands program. Makes changes to the windbreak and riparian program. Increases and establishes several fees. Deposits certain fees into new or existing funds. Requires the department of natural resources (DNR) to issue registration decals for off-road vehicles. Increases the injury or damage level required for an off-road vehicle operator to file an accident report. Prohibits gathering plants or artifacts on private land without the owner's consent. Defines "farmland" for certain hunting license requirements. Requires a court to suspend a person's driver's license for failure to appear in response to a summons issued by a conservation officer. Allows DNR to regulate the safety and maintenance of certain dams and structures. Removes references to geologists in the dam inspection laws. Provides that dams have an engineering inspection. Establishes requirements to transfer an oil or gas well permit. Makes technical corrections. Repeals certain provisions concerning classified land programs and state parks and reservoir funds. (The introduced version of this bill was prepared by the natural resources study committee.)

Effective: June 30, 2003; July 1, 2003.

Bischoff

January 16, 2003, read first time and referred to Committee on Agriculture, Natural Resources and Rural Development.



C
o
p
y

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1552

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 6-1.1-6-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. For the purpose of
3 property taxation, forest land **and other land** may be classified and
4 assessed under this chapter if the land satisfies the conditions
5 prescribed in this chapter for classification as native forest land, ~~or a~~
6 forest plantation, **or wildlands**.
- 7 SECTION 2. IC 6-1.1-6-2 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. Land may be
9 classified as a forest plantation if it is cleared land which has growing
10 on it a good stand of timber producing trees as that concept is
11 understood by ~~competent foresters~~: **a district forester or a**
12 **professional forester**.
- 13 SECTION 3. IC 6-1.1-6-3 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. Land may be
15 classified as native forest land if it ~~has never been plowed or cultivated~~
16 **and** contains at least forty (40) square feet of basal area per acre or at
17 least ~~one thousand (1,000)~~ **four hundred (400)** timber producing trees,



C
o
p
y

of any size, per acre.

SECTION 4. IC 6-1.1-6-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 3.5. (a) Land may be classified as wildlands if the land, as understood by a district forester, professional forester, or wildlife biologist who is employed by the department of natural resources and holds a bachelor's degree in a subject area approved of by the department, contains any of the following:**

(1) Nonforest areas containing a good stand of vegetation capable of supporting wildlife that is conducive to wildlife management. A good stand of vegetation must include a diverse stand of vegetation other than monotypic stands or tall fescue (*Festuca arundinacea*). However, the state forester may allow tall fescue to be used for erosion control.

(2) Nonforest wetland areas.

(3) A body of water that:

(A) is less than two (2) acres in size; or

(B) has an average depth less than four (4) feet.

A parcel may contain more than one (1) isolated body of water.

(b) A parcel may not be converted from native forest land or a forest plantation to wildlands without a special permit issued under section 17 of this chapter.

SECTION 5. IC 6-1.1-6-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 4.** For purposes of this chapter, the following types of trees are not considered timber producing trees: dogwoods (*Cornus*); water-beech (*Carpinus*); ironwood (*Ostrya*); red bud (*Cercis*); ~~sassafras; persimmon;~~ pawpaw; black haw; ~~willows (*Salix*);~~ pomaceous trees; and Christmas trees which are grown for commercial purposes; **and other trees listed by the state forester.**

SECTION 6. IC 6-1.1-6-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 5.** A parcel of land may not be classified as native forest land, ~~or~~ a forest plantation, **or wildlands** unless it contains at least ~~ten (10)~~ **fifteen (15) contiguous** acres. ~~but~~ The parcel may be of any shape ~~whatsoever~~ **This section does not apply to land classified before July 26, 1967; but must be at least fifty (50) feet in width.**

SECTION 7. IC 6-1.1-6-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 6.** A parcel of land may not be classified as native forest land, ~~or as~~ a forest plantation, **or wildlands** if a dwelling or other building is situated on the parcel. However, this section does not apply if the building is utilized by the



C
O
P
Y

landowner for the purpose of maintaining a sugar camp or operating a sawmill.

SECTION 8. IC 6-1.1-6-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 7. A parcel of land may not be classified as native forest land, ~~or as~~ a forest plantation, **or wildlands** if it is grazed by a domestic animal. ~~However, this section does not apply to domestic fowl if they do not have a detrimental effect on timber production.~~ **animals or confined nondomesticated animals.**

SECTION 9. IC 6-1.1-6-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9. (a) A person who wishes to have a parcel of land classified as native forest land, ~~or as~~ a forest plantation, **or wildlands** must have it ~~surveyed~~ **the parcel described** by a registered land surveyor. The ~~surveyor shall make the survey~~ **parcel must be described** by metes and bounds **or other professionally accepted practices** and ~~he shall~~ **must** locate the parcel with reference to ~~some~~ **an** established corner. In addition, the ~~surveyor shall~~ **description must** identify the parcel by section, township, range, and county references. The surveyor shall prepare plats of the parcel in ink, and he shall prepare the plats on the scale, and in the number, prescribed by the department of natural resources.

(b) The registered land surveyor may use an aerial photograph in order to ~~obtain~~ **prepare** a description of the parcel. However, the surveyor's description must be accurate and it must meet the requirements specified in subsection (a) of this section. If an aerial photograph is used, that fact shall be noted on the application referred to in section 11 of this chapter.

SECTION 10. IC 6-1.1-6-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. ~~(a) A person who wishes to have a parcel of land classified as native forest land or as a forest plantation must have the land assessed by the county assessor of the county in which the land is located.~~

~~(b)~~ **(a)** The county assessor shall assess the land at its fair market value, including any mineral, stone, oil, or gas value it may have; but, the county assessor shall not consider the standing timber on the land in making the assessment. In addition to assessing the specific parcel of land, the county assessor shall also assess, at its fair market value, all of the remaining land (exclusive of improvements) which is situated in the section in which the land proposed for classification lies and which is not within a city or town. In making these assessments, the county assessor shall value each quarter section separately and shall designate the assessment for each quarter section.

~~(c)~~ **(b)** If the assessment made by the county assessor is not

C
o
p
y



satisfactory to the owner, ~~he~~ **the owner** may appeal the assessment to a board consisting of the assessor, auditor, and treasurer of the county in which the land proposed for classification is located. The decision of the board is final.

SECTION 11. IC 6-1.1-6-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 11. ~~(a)~~ A person who wishes to have a parcel of land classified as native forest land, ~~or as a~~ forest plantation, **or wildlands** must file an application in duplicate with the state forester on the forms prescribed by the state forester. The application must include the following items:

(1) ~~The plats referred to in section 9 of this chapter.~~

(2) ~~The assessment required under section 10 of this chapter entered in ink by the county assessor.~~

(3) ~~The signature of the owner, the registered land surveyor, the~~ **state forester**, and the county assessor.

(b) ~~If an error or omission affecting the eligibility of the application is discovered by the state forester or county assessor, the state forester or county assessor shall promptly notify the applicant of the deficiency and allow the applicant to amend the application.~~

SECTION 12. IC 6-1.1-6-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 12. If in ~~his~~ **the state forester's** opinion an application filed under section 11 of this chapter and the land to be classified comply with the provisions of this chapter, the state forester shall approve the application. In addition, ~~he~~ **the state forester** shall notify the auditor ~~and the recorder~~ of the county in which the land is located that the application has been approved and ~~he shall~~ return one (1) approved application form to the applicant.

SECTION 13. IC 6-1.1-6-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 14. Land which is classified under this chapter as native forest land, ~~or as a~~ forest plantation, **or wildlands** shall be assessed at one dollar ~~(\$1.00)~~ **(\$1)** per acre for general property taxation purposes.

SECTION 14. IC 6-1.1-6-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 15. If any oil, gas, stone, coal, or other mineral is obtained from land which is classified as native forest land, ~~or as a~~ forest plantation, **or wildlands**, the parcel shall immediately be assessed for the oil, gas, stone, coal, or other mineral wealth. The assessed value of the mineral wealth shall then be placed on the tax duplicate.

SECTION 15. IC 6-1.1-6-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 16. (a) The natural resources commission shall, by rule, establish minimum standards of

C
o
p
y



1 good timber **and wildlife** management.

2 (b) The department of natural resources shall prescribe a ~~timber~~
3 management plan for each classified ~~forest~~ **parcel**.

4 (c) The management plan must be followed for the owner to be in
5 compliance with this chapter.

6 SECTION 16. IC 6-1.1-6-17 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 17. (a) ~~The state~~
8 ~~forester may issue special permits for the establishment of small lake~~
9 ~~areas, wildlife food plots, or similar uses that have the primary purpose~~
10 ~~of wildlife production or fire protection.~~ The state forester may also
11 issue special permits for other purposes if the land use authorized by
12 the permit is not inconsistent with this chapter. The maximum amount
13 of land to be utilized in the manner authorized by a special permit may
14 not exceed ~~one (1) acre~~ **the lesser of the following:**

15 **(1) Ten percent (10%) of the total acreage.**

16 **(2) Five (5) acres.**

17 (b) ~~The landowner shall record a special permit in the office of the~~
18 ~~recorder of the county in which the land is situated.~~

19 **(b) Unless a person has been issued a special permit that allows**
20 **crops to be cultivated or harvested solely for wildlife food or cover,**
21 **a person may not cultivate or harvest crops on land classified as**
22 **wildlands.**

23 SECTION 17. IC 6-1.1-6-18 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 18. The owner of a
25 parcel of land which is classified as native forest land, ~~or as~~ a forest
26 plantation, **or wildlands** shall ~~mark post four (4) signs on~~ the parcel.
27 ~~with four (4) signs.~~ The owner shall place the signs on the boundaries
28 of, and on different sides of, the parcel at the points which are the most
29 conspicuous to the public **or at the property corners.** The department
30 of natural resources shall furnish the signs and shall designate the size
31 and the wording of the signs.

32 SECTION 18. IC 6-1.1-6-19 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 19. At least once every
34 five (5) years the state forester, or his deputy, shall inspect each parcel
35 of land which is classified as native forest land, ~~or as~~ a forest
36 plantation, **or wildlands.** On each inspection trip the **state** forester, or
37 his deputy, shall, if possible, have the owner go over the parcel with
38 him and shall point out to the owner any needed improvement. In
39 addition, he shall give the owner a written report of the inspection and
40 his recommendations. A permanent record of each inspection shall be
41 maintained in the office of the state forester.

42 SECTION 19. IC 6-1.1-6-20 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 20. If the owner of land
 2 which is classified as native forest land, ~~or as~~ a forest plantation, **or**
 3 **wildlands** wishes to have the land withdrawn from the classification,
 4 he shall have the county assessor of the county in which the land is
 5 situated assess the land. The county assessor shall ~~make the assessment~~
 6 ~~in the manner prescribed in section 10(b) of this chapter.~~ **determine**
 7 **the taxes that are required under section 24 of this chapter.** The
 8 owner shall then file a withdrawal request in duplicate with the state
 9 forester on forms prescribed by the state forester. The state forester
 10 shall withdraw the land from the classification on receipt of the
 11 withdrawal forms.

12 SECTION 20. IC 6-1.1-6-21 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 21. The state forester
 14 shall withdraw land which is classified as native forest land, ~~or as~~ a
 15 forest plantation, **or wildlands** from the classification if he finds that
 16 the provisions of this chapter are not being complied with and that the
 17 owner of the land refuses to make the changes necessary for
 18 compliance. If the state forester withdraws land under this section, he
 19 shall have the county assessor of the county in which the land is
 20 situated assess the land. The county assessor shall ~~make the assessment~~
 21 ~~in the manner prescribed in section 10(b) of this chapter.~~ **determine**
 22 **the taxes that are required under section 24 of this chapter.** In
 23 addition, the state forester shall immediately notify the owner that the
 24 land has been withdrawn.

25 SECTION 21. IC 6-1.1-6-22 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 22. If an assessment
 27 made by a county assessor under section 20 or section 21 of this
 28 chapter is not satisfactory to the owner, he may appeal the assessment
 29 in the manner prescribed in section ~~10(c)~~ **10(b)** of this chapter.

30 SECTION 22. IC 6-1.1-6-23 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 23. If land classified as
 32 native forest land, ~~or as~~ a forest plantation, **or wildlands** is withdrawn
 33 from the classification, the state forester shall immediately notify the
 34 ~~recorder and the~~ auditor of the county in which the land is situated that
 35 the land has been withdrawn. In addition, when land is withdrawn, the
 36 owner of the land shall make a notation of the withdrawal in the
 37 records of the county recorder.

38 SECTION 23. IC 6-1.1-6-24 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 24. (a) If land that is
 40 classified as native forest land, ~~or as~~ a forest plantation, **or wildlands**
 41 is withdrawn from the classification, the owner shall pay an amount
 42 equal to the sum of:

C
o
p
y



(1) the total property taxes that, if it were not for the classification, would have been assessed on the land during the period of classification or the ten (10) year period immediately preceding the date on which the land is withdrawn from the classification, whichever is lesser; plus

(2) interest on the property taxes at the rate of ten percent (10%) **simple interest** per year.

(b) The liability imposed by this section is a lien upon the land withdrawn from the classification. When the amount is collected, it shall be paid into the county general fund. If the amount is not paid, it shall be treated in the same manner the delinquent taxes on real property are treated.

(c) The county auditor shall determine the tax owed under subsection (a) using the assessment required in section 10(a) of this chapter.

SECTION 24. IC 6-1.1-6-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 25. A conveyance of land which is classified as native forest land, ~~or as a forest plantation,~~ **or wildlands** does not release any person acquiring an interest in the land from any obligation or liability imposed under this chapter.

SECTION 25. IC 6-1.1-6-26 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 26. The expense of the ~~survey~~ **surveyor's plat** required by section 9 of this chapter shall be paid by the applicant. The expense of ~~an assessment which is required under this chapter~~ **a recording** shall be paid ~~from the county general fund of the county in which the parcel is located. For his services in making an assessment which is required under this chapter, the county assessor shall receive his necessary expenses:~~ **by the applicant.**

SECTION 26. IC 6-1.1-6-27 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 27. The owner of a parcel of land which is classified as native forest land, ~~or as a forest plantation,~~ **or wildlands** shall file a report once each year with the state forester on forms furnished by the state forester.

SECTION 27. IC 6-1.1-6-28 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 28. (a) **A parcel of land that was classified as a wildlife habitat under IC 6-1.1-6.5 on June 30, 2003, is classified as wildlands under this chapter on July 1, 2003. The change in classification does not constitute a withdrawal.**

(b) **If a parcel of land that was reclassified as wildlands under subsection (a) is subsequently withdrawn from classification under this chapter, the date of the initial classification and the initial**

C
o
p
y



1 **classification assessment shall be used to determine any withdrawal**
 2 **payments.**

3 SECTION 28. IC 6-1.1-6.2-2 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~For the purpose of~~
 5 ~~property taxation certain~~ **This chapter applies to** parcels of land ~~may~~
 6 ~~be~~ classified as a windbreak and assessed as provided in this chapter
 7 **before July 1, 2003.**

8 SECTION 29. IC 6-1.1-6.2-5 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. (a) A person who
 10 wishes to have a parcel of land **that is** classified as a windbreak
 11 **withdrawn from classification under section 15 of this chapter** must
 12 have the land assessed by the county assessor of the county in which
 13 the land is located.

14 (b) If the assessment made by the county assessor is not satisfactory
 15 to the owner, the owner may appeal the assessment to a board
 16 consisting of the assessor, auditor, and treasurer of the county in which
 17 the land ~~proposed for classification~~ is located. The decision of the
 18 board is final.

19 SECTION 30. IC 6-1.1-6.5-1 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. ~~For the purpose of~~
 21 ~~property taxation certain~~ **This chapter applies to** parcels of land ~~may~~
 22 ~~be~~ classified as ~~wildlife habitat or~~ riparian land and assessed as
 23 provided in this chapter **before July 1, 2003.**

24 SECTION 31. IC 6-1.1-6.5-2 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a) A parcel of land~~
 26 ~~may be~~ classified as a wildlife habitat if:

- 27 (1) it contains a good stand of vegetation that is capable of
- 28 supporting wildlife species;
- 29 (2) it is conducive to wildlife management;
- 30 (3) the landowner enters into an agreement with the department
- 31 of natural resources establishing standards of wildlife
- 32 management for the parcel of land as that concept is understood
- 33 by competent wildlife biologists;
- 34 (4) it contains at least fifteen (15) acres;
- 35 (5) it contains less than ten (10) acres of woodland;
- 36 (6) it does not contain a dwelling or other usable building; and
- 37 (7) ~~no part of it lies within a licensed shooting preserve.~~

38 ~~(b)~~ A parcel of land may be classified as riparian land if:

- 39 (1) the land is stream bed or vegetated land adjacent to a stream
- 40 bed, not extending more than one hundred (100) feet landward
- 41 from the line of nonaquatic vegetation;
- 42 (2) the land is conducive to riparian management for the purposes



C
O
P
Y

1 of fish and wildlife restoration or enhancement, erosion control,
 2 increased bank stability, improved water quality, or increased
 3 stream storage capacity;

4 (3) the land does not contain a dwelling or other usable building;
 5 and

6 (4) the landowner enters into an agreement with the department
 7 of natural resources establishing standards of management for the
 8 classified riparian land.

9 SECTION 32. IC 6-1.1-6.5-8 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 8. Land which is
 11 classified under this chapter as ~~a wildlife habitat~~ or as riparian land
 12 shall be assessed at one dollar (\$1) per acre for general property
 13 taxation purposes; however, ditch assessments on the classified land
 14 shall be paid.

15 SECTION 33. IC 6-1.1-6.5-9 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9. If any oil, gas, stone,
 17 coal, or other mineral is obtained from land which is classified as ~~a~~
 18 ~~wildlife habitat~~, **riparian land**, the parcel shall immediately be
 19 assessed for the oil, gas, stone, coal, or other mineral wealth. The
 20 assessed value of the mineral wealth shall then be placed on the tax
 21 duplicate.

22 SECTION 34. IC 6-1.1-6.5-13 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 13. At least once every
 24 five (5) years a representative of the department of natural resources
 25 shall inspect each parcel of land which is classified as ~~a wildlife~~
 26 ~~habitat~~, **riparian land**. On each inspection trip, the representative
 27 shall, if possible, have the owner go over the parcel with him and shall
 28 point out to the owner any needed improvement. In addition, he shall
 29 give the owner a written report of the inspection and his
 30 recommendations. A permanent record of each inspection shall be
 31 maintained in the office of the department of natural resources.

32 SECTION 35. IC 6-1.1-6.5-15 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 15. The department of
 34 natural resources shall withdraw land which is classified as ~~a wildlife~~
 35 ~~habitat~~ **riparian land** from the classification if it finds that the
 36 provisions of this chapter are not being complied with and that the
 37 owner of the land refuses to make the changes necessary for
 38 compliance. The department of natural resources shall immediately
 39 notify the owner that the land has been withdrawn.

40 SECTION 36. IC 6-1.1-6.5-17 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 17. If land classified as
 42 ~~a wildlife habitat~~ **riparian land** is withdrawn from the classification,

C
o
p
y



the department of natural resources shall immediately notify the recorder and the auditor of the county in which the land is situated that the land has been withdrawn. In addition, when land is withdrawn, the owner of the land shall make a notation of the withdrawal in the records of the county recorder.

SECTION 37. IC 6-1.1-6.5-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 18. (a) If land that is classified as a ~~wildlife habitat~~ **riparian land** is withdrawn from the classification, the owner shall pay an amount equal to the sum of:

(1) the total property taxes that, if it were not for the classification, would have been assessed on the land during:

(A) the period of classification; or

(B) the ten (10) year period immediately preceding the date on which the land is withdrawn from the classification;

whichever is lesser; plus

(2) interest on the property taxes at the rate of ten percent (10%) per year.

(b) The liability imposed by this section is a lien upon the land withdrawn from the classification. When the amount is collected, it shall be paid into the county general fund. If the amount is not paid, it shall be treated in the same manner that delinquent taxes on real property are treated.

SECTION 38. IC 6-1.1-6.5-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 19. A conveyance of land which is classified as a ~~wildlife habitat~~ **riparian land** does not release any person acquiring an interest in the land from any obligation or liability imposed under this chapter.

SECTION 39. IC 14-8-2-87.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 87.7. "Farmland", for purposes of IC 14-22-11-1, has the meaning set forth in IC 14-22-11-1.**

SECTION 40. IC 14-8-2-107, AS AMENDED BY P.L.145-2002, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 107. "Fund" has the following meaning:

(1) For purposes of IC 14-9-5, the meaning set forth in IC 14-9-5-1.

(2) For purposes of IC 14-9-8-21, the meaning set forth in IC 14-9-8-21.

(3) For purposes of IC 14-9-9, the meaning set forth in IC 14-9-9-3.

(4) For purposes of IC 14-12-1, the meaning set forth in IC 14-12-1-1.



- 1 (5) For purposes of IC 14-12-2, the meaning set forth in
- 2 IC 14-12-2-2.
- 3 (6) For purposes of IC 14-12-3, the meaning set forth in
- 4 IC 14-12-3-2.
- 5 (7) For purposes of IC 14-13-1, the meaning set forth in
- 6 IC 14-13-1-2.
- 7 (8) For purposes of IC 14-13-2, the meaning set forth in
- 8 IC 14-13-2-3.
- 9 (9) For purposes of ~~IC 14-19-4~~, **IC 14-16-2**, the meaning set forth
- 10 in ~~IC 14-19-4-1~~. **IC 14-16-2-8**.
- 11 (10) For purposes of ~~IC 14-19-5~~, **IC 14-19-8**, the meaning set
- 12 forth in ~~IC 14-19-5-1~~. **IC 14-19-8-1**.
- 13 (11) For purposes of IC 14-20-1, the meaning set forth in
- 14 IC 14-20-1-3.
- 15 (12) For purposes of IC 14-20-11, the meaning set forth in
- 16 IC 14-20-11-2.
- 17 (13) For purposes of IC 14-22-3, the meaning set forth in
- 18 IC 14-22-3-1.
- 19 (14) For purposes of IC 14-22-4, the meaning set forth in
- 20 IC 14-22-4-1.
- 21 (15) For purposes of IC 14-22-5, the meaning set forth in
- 22 IC 14-22-5-1.
- 23 (16) For purposes of IC 14-22-8, the meaning set forth in
- 24 IC 14-22-8-1.
- 25 (17) For purposes of IC 14-22-34, the meaning set forth in
- 26 IC 14-22-34-2.
- 27 (18) For purposes of IC 14-23-3, the meaning set forth in
- 28 IC 14-23-3-1.
- 29 (19) For purposes of IC 14-23-8, the meaning set forth in
- 30 IC 14-23-8-1.
- 31 (20) For purposes of IC 14-25-2-4, the meaning set forth in
- 32 IC 14-25-2-4.
- 33 (21) For purposes of IC 14-25-10, the meaning set forth in
- 34 IC 14-25-10-1.
- 35 (22) For purposes of IC 14-25-11-19, the meaning set forth in
- 36 IC 14-25-11-19.
- 37 (23) For purposes of IC 14-25.5, the meaning set forth in
- 38 IC 14-25.5-1-3.
- 39 (24) For purposes of IC 14-28-5, the meaning set forth in
- 40 IC 14-28-5-2.
- 41 (25) For purposes of IC 14-31-2, the meaning set forth in
- 42 IC 14-31-2-5.

C
o
p
y



- 1 (26) For purposes of IC 14-25-12, the meaning set forth in
- 2 IC 14-25-12-1.
- 3 (27) For purposes of IC 14-33-14, the meaning set forth in
- 4 IC 14-33-14-3.
- 5 (28) For purposes of IC 14-33-21, the meaning set forth in
- 6 IC 14-33-21-1.
- 7 (29) For purposes of IC 14-34-6-15, the meaning set forth in
- 8 IC 14-34-6-15.
- 9 (30) For purposes of IC 14-34-14, the meaning set forth in
- 10 IC 14-34-14-1.
- 11 (31) For purposes of IC 14-37-10, the meaning set forth in
- 12 IC 14-37-10-1.

13 SECTION 41. IC 14-10-2-5 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. (a) The department
 15 may adopt emergency rules under IC 4-22-2-37.1 to carry out the duties
 16 of the department under the following:

- 17 (1) IC 14-9.
- 18 (2) This article.
- 19 (3) IC 14-11.
- 20 (4) IC 14-12-2.
- 21 (5) IC 14-14.
- 22 (6) IC 14-17-3.
- 23 (7) IC 14-18, except IC 14-18-6 and IC 14-18-8.
- 24 (8) IC 14-19-1 ~~IC 14-19-4~~, and ~~IC 14-19-5~~ **IC 14-19-8.**
- 25 (9) IC 14-20-1.
- 26 (10) IC 14-21.
- 27 (11) IC 14-22-3, IC 14-22-4, and IC 14-22-5.
- 28 (12) IC 14-23-1.
- 29 (13) IC 14-25, except IC 14-25-8-3, IC 14-25-11, and
- 30 IC 14-25-13.
- 31 (14) IC 14-26.
- 32 (15) IC 14-27.
- 33 (16) IC 14-28.
- 34 (17) IC 14-29.
- 35 (18) IC 14-35-1, IC 14-35-2, and IC 14-35-3.

36 (b) A rule adopted under subsection (a) expires not later than one
 37 (1) year after the rule is accepted for filing by the secretary of state.

38 SECTION 42. IC 14-16-1-9 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9. (a) The owner of
 40 each vehicle required to be registered under this chapter must do the
 41 following **every three (3) years:**

- 42 (1) File an application for registration with the department on

C
o
p
y



forms provided by the department.

(2) Sign the application.

(3) Pay a fee of ~~six~~ **thirty** dollars ~~(\$6): (\$30)~~.

(b) Upon receipt of an application in approved form, the department shall enter the application upon the department's records and issue to the applicant **the following**:

(1) A certificate of registration containing the following:

~~(1) (A)~~ The number awarded to the vehicle.

~~(2) (B)~~ The name and address of the owner.

~~(3) (C)~~ Other information that the department considers necessary.

(2) Two (2) decals indicating the vehicle's registration number and the year in which the registration will expire that must be attached to the vehicle as provided in section 11.5 of this chapter.

(c) A certificate of registration must:

(1) be pocket size;

(2) accompany the vehicle; and

(3) be made available for inspection upon demand by a law enforcement officer.

SECTION 43. IC 14-16-1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The revenues obtained under this chapter shall be ~~dedicated to the department for the following purposes~~:

~~(1) Enforcement.~~

~~(2) Constructing and maintaining vehicle trails.~~ **deposited into the off-road vehicle and snowmobile fund under IC 14-16-2-8.**

SECTION 44. IC 14-16-1-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 11. ~~(a) The owner of a vehicle who has been issued a certificate of registration for the vehicle shall paint on or attach in a permanent manner to each side of the forward half of the vehicle the identification number in block characters of good proportion, not less than three (3) inches in height, reading from left to right. The numbers must contrast with the background so as to be distinctly visible and legible.~~

~~(b) (a)~~ The department may adopt rules for the size and placement of ~~identification numbers~~ **registration decals** upon vehicles. ~~to which, because of structural design, the identification number cannot be attached as provided in this section.~~

~~(c) (b)~~ Not earlier than ninety (90) days before the expiration date of a certificate, a registration renewal decal or other device may be issued indicating that the certificate of registration is in full force and

C
o
p
y



effect. The department shall adopt rules under IC 4-22-2 prescribing the display of the decal or other device.

~~(d)~~ (c) An initial certificate of registration and a renewal of a certificate awarded under this chapter expires three (3) years from the date of purchase of the certificate unless the certificate is canceled.

~~(e)~~ (d) The department may:

(1) award a certificate of number directly; or

(2) authorize a person to act as the department's agent for the awarding.

SECTION 45. IC 14-16-1-11.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 11.5. (a) The owner of a vehicle shall attach the decals issued under section 9 of this chapter on the forward half of the vehicle. All decals shall be maintained in a legible condition and displayed only for the period for which the registration is valid.**

(b) If a registration decal is lost or destroyed, the owner may apply for a duplicate on forms provided by the department. An application submitted under this subsection must be accompanied by a fee of one dollar (\$1) for each decal. Upon receipt of a proper application and the required fee, the department shall issue a duplicate registration decal to the owner.

SECTION 46. IC 14-16-1-24 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 24. (a) The operator of a vehicle involved in an accident resulting in ~~injuries~~ serious bodily injury to or death of an individual or property damage in an estimated amount of at least one seven hundred fifty dollars (~~\$100~~) (\$750) shall immediately, by the quickest means of communication, notify at least one (1) of the following:**

(1) A state police officer or conservation officer.

(2) The sheriff's office of the county where the accident occurred.

(3) The office of the police department of the municipality where the accident occurred.

(b) The police agency receiving the notice shall do the following:

(1) Complete a report of the accident on forms prescribed by the director.

(2) Forward the report to the director.

SECTION 47. IC 14-16-2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 8. (a) As used in this section, "fund" refers to the off-road vehicle and snowmobile fund established by subsection (b).**

(b) The off-road vehicle and snowmobile fund is established. The

C
o
p
y



1 fund shall be administered by the department.

2 (c) The fund consists of the revenues obtained under IC 14-16-1
3 and this chapter, shall be dedicated to the department appropriations,
4 and donations. Money in the fund shall be used for the following
5 purposes:

6 (1) Enforcement of IC 14-16-1 and this chapter.

7 (2) Constructing and maintaining off-road vehicle trails.

8 (3) Constructing and maintaining snowmobile trails.

9 (d) The treasurer of state shall invest the money in the fund not
10 currently needed to meet the obligations of the fund in the same
11 manner as other public money may be invested.

12 (e) Money in the fund at the end of the state fiscal year does not
13 revert to the state general fund.

14 (f) There is annually appropriated to the department from the
15 fund the entire amount of money deposited in the fund from the
16 sources referred to in subsection (c) for the department's use for
17 the purposes set forth in subsection (c).

18 SECTION 48. IC 14-19-8 IS ADDED TO THE INDIANA CODE
19 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2003]:

21 **Chapter 8. State Parks and Reservoirs Special Revenue Fund**

22 **Sec. 1. As used in this chapter, "fund" refers to the state parks
23 and reservoirs special revenue fund established by section 2 of this
24 chapter.**

25 **Sec. 2. (a) The state parks and reservoirs special revenue fund
26 is established.**

27 **(b) The fund shall be administered by the department.**

28 **Sec. 3. (a) The fund consists of the following:**

29 **(1) All revenues accruing to the department from the
30 operation of the state parks.**

31 **(2) All revenues accruing to the department from the
32 operation of reservoirs.**

33 **(3) Other sources as specified by law.**

34 **(b) The treasurer of state shall invest the money in the fund not
35 currently needed to meet the obligations of the fund in the same
36 manner as other public money may be invested.**

37 **Sec. 4. The money in the fund may be expended by the director
38 exclusively for the operation of the state parks and reservoirs. The
39 director shall submit, in accordance with IC 4-12-1, a suggested
40 budget for appropriations and expenditures from the fund. The
41 director shall use money appropriated by the general assembly
42 from the fund to the department in accordance with this chapter**

C
o
p
y



1 and the terms of the appropriation.

2 **Sec. 5. Unencumbered parts of appropriations made for a state**
 3 **fiscal year from the fund revert to the fund at the end of that state**
 4 **fiscal year unless otherwise specified by statute. Money in the fund**
 5 **does not revert to the state general fund at the end of a state fiscal**
 6 **year.**

7 SECTION 49. IC 14-22-10-1 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. A person may not:

- 9 (1) fish, hunt, trap, or chase; ~~or~~
 10 (2) shoot with any kind of firearm **or archery equipment;**
 11 **(3) search for or gather any plant life (defined as the members**
 12 **of the kingdoms Fungi and Plantae); or**
 13 **(4) search for or gather any artifacts (as defined in**
 14 **IC 14-21-1-2);**

15 upon privately owned land without having the consent of the owner or
 16 tenant of the land.

17 SECTION 50. IC 14-22-11-1 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) **As used in this**
 19 **section, "farmland" means agricultural land that is;**

- 20 **(1) devoted or best adaptable for the production of crops,**
 21 **fruits, timber, and the raising of livestock; or**
 22 **(2) assessed as agricultural land for property tax purposes.**

23 **(b)** An individual may not take or chase, with or without dogs, a
 24 wild animal without having a license, except as follows:

- 25 (1) An individual who is a resident or nonresident of Indiana
 26 while participating in a field trial that has been sanctioned by the
 27 director is not required to possess a license while participating in
 28 the trial.

- 29 (2) Subject to subsection ~~(c)~~; **(d)**, an owner of farmland located in
 30 Indiana who is a resident or nonresident of Indiana and the spouse
 31 and children living with the owner may hunt, fish, and trap
 32 without a license on the land that the owner owns.

- 33 (3) A lessee of farmland who farms that land and is a resident of
 34 Indiana and the spouse and children living with the lessee may
 35 hunt, fish, and trap without a license on the leased land. This
 36 subdivision does not apply to land that is:

- 37 (A) owned, leased, or controlled by; and
 38 (B) leased from;

39 the department.

- 40 (4) An individual who:

- 41 (A) is less than thirteen (13) years of age;
 42 (B) does not possess a bow or firearm; and

C
O
P
Y



(C) is accompanying an individual who:

(i) is at least eighteen (18) years of age; and

(ii) holds a valid license;

may chase a wild animal without having a license.

~~(b)~~ (c) The exceptions provided in this section do not apply to a commercial license issued under this article.

~~(c)~~ (d) The right of a nonresident who owns farmland in Indiana (and of the spouse and children who reside with the nonresident) to hunt, fish, and trap on the farmland without a license under subsection ~~(a)(2)~~ (b)(2) is subject to the following conditions:

(1) The nonresident may hunt, fish, and trap on the farmland without a license only if the state in which the nonresident resides allows residents of Indiana who own land in that state to hunt, fish, and trap on their land without a license.

(2) While hunting, fishing, or trapping on the farmland, the nonresident must keep proof that the nonresident owns the farmland (for example, a tax receipt identifying the nonresident as owner) in a place where the proof is readily accessible by the nonresident.

SECTION 51. IC 14-22-39-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) A conservation officer may issue a summons for a violation committed within the view of the conservation officer if the defendant promises to appear by signing the summons.

(b) A defendant who fails to appear as commanded by the summons:

(1) is in contempt of court; and

(2) may be fined not more than twenty dollars (\$20).

(c) Upon a failure to appear, the court shall **do the following:**

(1) Issue a warrant for the arrest of the defendant.

(2) If the defendant has an Indiana driver's license or permit:

(A) issue an order to suspend the defendant's driver's license or permit until the defendant appears in court and the case is disposed of; and

(B) forward notice of the order to the bureau of motor vehicles.

(3) If the defendant has a driver's license or permit issued by a state other than Indiana, forward notice of the defendant's failure to appear to the bureau of motor vehicles. The bureau of motor vehicles shall:

(A) notify the driver licensing authority of the defendant's state of the defendant's failure to appear; and

(B) request that the defendant's state take appropriate

C
o
p
y



1 **action under the laws of that state until the defendant**
 2 **appears in court and the case is disposed of.**

3 SECTION 52. IC 14-24-10-1 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) The department
 5 shall collect the following fees:

6 (1) For each license issued to a dealer, ~~thirty fifty~~ dollars ~~(\$30)~~.
 7 **(\$50)**. However, a certified nurseryman who has paid an
 8 inspection fee may obtain a dealer's license for ~~ten~~ **twenty** dollars
 9 ~~(\$10)~~; **(\$20)**.

10 (2) For the inspection of a nursery, ~~twenty fifty~~ dollars ~~(\$20)~~
 11 **(\$50)** plus an additional fee of ~~one dollar and fifty cents~~ ~~(\$1.50)~~
 12 **three dollars (\$3)** for each acre of land containing nursery stock.

13 ~~(3) For the sale of a directory of persons licensed by the division~~
 14 ~~to a person who is not licensed, three dollars (\$3).~~

15 (b) The fees collected under this section shall be deposited in the
 16 ~~state general entomology and plant pathology fund established by~~
 17 **section 3 of this chapter.**

18 SECTION 53. IC 14-24-10-4 IS ADDED TO THE INDIANA
 19 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2003]: **Sec. 4. The department shall publish**
 21 **on the Internet a directory of persons who have obtained nursery**
 22 **certificates and nursery dealer licenses from the division under**
 23 **IC 14-24-5 and IC 14-24-7.**

24 SECTION 54. IC 14-26-2-15 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 15. (a) This section
 26 applies to impoundments of the Tippecanoe River that are formed by
 27 a dam or control structure owned and operated by a public utility for
 28 the generation of hydroelectric power. **However, this section does not**
 29 **restrict the department's ability to regulate the safety or**
 30 **maintenance of a dam or other control structure under**
 31 **IC 14-27-7.5.**

32 (b) As used in this section, "alterations to the shoreline" does not
 33 include the making of canals or inlets.

34 (c) As used in this section, "construction" includes the building of
 35 a pier.

36 (d) Notwithstanding any other law, the department may not regulate
 37 or interfere with alterations to the shoreline of or construction on the
 38 impoundments.

39 SECTION 55. IC 14-26-2-16 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 16. (a) As used in this
 41 section, "water supply reservoir" means a body of water formed by a
 42 dam wholly owned and operated by a municipality or a public utility

C
o
p
y



(as defined in IC 8-1-2-1) for the purpose of providing water utility service to the public. The term does not include the following:

- (1) Tributary streams that drain into the body of water.
- (2) Wetlands associated with those streams.

(b) Notwithstanding any other law, the department may not regulate the following activities conducted within the one hundred (100) year flood level of a water supply reservoir:

- (1) Sediment removal, dredging for the purpose of providing water supply storage, seawall construction, or the maintenance of water intake structures.
- (2) Restoration or stabilization of the shoreline.

(c) This section does not restrict the department's ability to regulate the safety or maintenance of a dam or other control structure under ~~IC 14-27-7~~. **IC 14-27-7.5.**

SECTION 56. IC 14-27-7.5-9, AS ADDED BY P.L.148-2002, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9. (a) The owner of a high hazard structure shall:

- (1) have a professional engineer licensed under IC 25-31 make ~~a technical~~ **an engineering** inspection of the high hazard structure ~~and prepare or revise the emergency action plan for the structure~~ at least one (1) time every two (2) years;
- (2) submit a report of the inspection in a form approved by the department to the department. The report must include at least the following information:

- (A) An evaluation of the structure's condition, spillway capacity, operational adequacy, and structural integrity.
- (B) A determination of whether deficiencies exist that could lead to the failure of the structure, and recommendations for maintenance, repairs, and alterations to the structure to eliminate deficiencies, including a recommended schedule for necessary upgrades to the structure.

(b) If after an inspection under subsection (a) the licensed professional engineer ~~or licensed professional geologist~~ who conducted the inspection determines that maintenance, repairs, or alterations to a high hazard structure are necessary to remedy deficiencies in the structure, the owner shall perform the recommended maintenance, repairs, or alterations.

(c) The department shall issue a notice of violation under section 11 of this chapter to the owner of a high hazard structure who fails to:

- (1) have the structure inspected under subsection (a);
- (2) perform recommended maintenance, repairs, or alterations to the structure under subsection (b); or

C
o
p
y



(3) biennially submit the inspection report prepared under subsection (a).

(d) The department may make a ~~technical~~ **an engineering** inspection of a high hazard structure to ensure compliance with this chapter.

SECTION 57. IC 14-27-7.5-10, AS ADDED BY P.L.148-2002, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. (a) The department shall make a ~~technical~~ **an engineering** inspection of:

(1) a significant hazard structure at least one (1) time every three

(3) years; and

(2) a low hazard structure at least one (1) time every five (5) years;

or at more frequent intervals if the exigencies of the case require.

(b) The department shall place in the files of the department a report of each inspection conducted under subsection (a).

SECTION 58. IC 14-27-7.5-14, AS ADDED BY P.L.148-2002, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 14. The department and the department's agents, engineers, ~~geologists~~, and other employees may, for purposes of determining the department's jurisdiction and performing the ~~technical~~ **engineering** inspections provided in sections 9 and 10 of this chapter, enter upon any land or water in Indiana without liability for trespass. The owner of a structure shall do the following:

(1) Cooperate with the department and the department's agents, engineers, ~~geologists~~, and other employees in the conduct of the inspections.

(2) Facilitate access to the structure.

(3) Furnish upon request the plans, specifications, operating and maintenance data, or other information that is pertinent to the structure.

SECTION 59. IC 14-31-3-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 8. (a) To obtain a ginseng dealer's license, a person must do the following:

(1) Apply to the department for the license in the manner prescribed by the department.

(2) Pay a license fee of ~~twenty-five~~ **one hundred** dollars (~~\$25~~) (**\$100**) before August 15 of each year.

(b) A ginseng dealer's license expires annually on August 31.

SECTION 60. IC 14-37-4-6, AS AMENDED BY P.L.48-2002, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 6. (a) A person must submit the following with an

C
O
P
Y



application for a permit:

(1) A bond under IC 14-37-6.

(2) A permit fee of ~~one two~~ hundred **fifty** dollars ~~(\$100)~~ **(\$250)** payable to the department. **However, a person may apply for an expedited review of the application for a permit, except for a Class II or noncommercial well, by submitting a permit fee of seven hundred fifty dollars (\$750).**

(b) Permit fees collected under this section must be deposited in the oil and gas fund established by IC 6-8-1-27.

SECTION 61. IC 14-37-4-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 14. To transfer the ownership of a permit for a well for oil or gas purposes, a person must submit the following:**

(1) A transfer fee of fifteen dollars (\$15) payable to the department for each well. **However, if an applicant submits more than fifty (50) applications simultaneously, the transfer fee for each application in excess of fifty (50) is ten dollars (\$10).**

(2) The name and mailing address of the seller and buyer on a form prescribed by the commission.

SECTION 62. IC 25-36.5-1-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 7. The application fee or renewal fee for a registration certificate to operate as a timber buyer, is ~~eighty one hundred five~~ dollars ~~(\$80)~~ **(\$105)**. The fee for a certificate stating that a registration certificate has been issued and security filed is twenty dollars (\$20). All fees collected by the department accrue to the use of the department for its administrative purposes.

SECTION 63. IC 25-36.5-1-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 15. (a) An individual who acts as the agent of a timber buyer must have an agent's license and carry the agent's card that verifies the license.

(b) An agent's license may be granted only:

(1) to qualified individuals;

(2) at the written application of the timber buyer who the agent is to represent; and

(3) under that timber buyer's registration certificate.

(c) The application for an agent's license must contain the agent's full name, address, and other information as required by the department on forms supplied by the department. Each timber buyer is responsible for all of the agent's activities performed while acting under the timber

C
o
p
y



1 buyer's registration certificate as they pertain to this chapter.

2 (d) An application fee of ~~five~~ **ten** dollars (~~\$5~~) (**\$10**) for each agent
3 shall be charged for the license and agent's card. However, each timber
4 buyer shall designate a qualified individual to be licensed as its
5 principal agent at no additional charge.

6 (e) An agent's license may be revoked by the department under
7 IC 4-21.5 if the agent does not comply with this section.

8 (f) An agent may have a license to represent only one (1) timber
9 buyer; however, upon surrendering the agent's card and license under
10 one (1) timber buyer, an individual may be licensed as an agent of
11 another timber buyer.

12 (g) A timber buyer may not be licensed as an agent except as the
13 principal agent of that timber buyer.

14 (h) A timber buyer may not effect or attempt to effect a purchase
15 except through an agent.

16 (i) A timber buyer may terminate an agency relationship by
17 notifying in writing the agent and the department. Termination of an
18 agency relationship revokes the agent's license.

19 (j) A person who acts as an agent without a license commits a Class
20 B misdemeanor.

21 SECTION 64. THE FOLLOWING ARE REPEALED [EFFECTIVE
22 JULY 1, 2003]: IC 6-1.1-6-8; IC 6-1.1-6.2-4; IC 6-1.1-6.2-6;
23 IC 6-1.1-6.2-7; IC 6-1.1-6.2-8; IC 6-1.1-6.5-3; IC 6-1.1-6.5-5;
24 IC 6-1.1-6.5-6; IC 6-1.1-6.5-7; IC 6-1.1-6.5-10; IC 6-1.1-6.5-12;
25 IC 6-1.1-6.5-20; IC 6-1.1-6.5-21; IC 6-1.1-6.5-22; IC 6-1.1-6.5-23;
26 IC 6-1.1-6.5-24; IC 6-1.1-6.5-25; IC 14-19-4; IC 14-19-5.

27 SECTION 65. P.L.148-2002, SECTION 16, IS AMENDED TO
28 READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: (a) As used in
29 this SECTION, "department" refers to the department of natural
30 resources.

31 (b) Notwithstanding IC 14-27-7.5-8, as added by this act, and
32 IC 14-27-7, as amended by this act, the department may continue to
33 issue permits for dams under ~~IC 14-27-7~~ **IC 14-28-1** until the rules
34 concerning permitting under IC 14-27-7.5 become effective.

35 (c) Notwithstanding IC 14-27-7.5, as added by this act, a permit for
36 a dam issued under ~~IC 14-27-7~~ **IC 14-28-1** remains valid until the
37 expiration of the permit.

38 (d) This SECTION expires June 30, 2007.

39 SECTION 66. [EFFECTIVE JUNE 30, 2003] **(a) On July 1, 2003:**

40 **(1) any money in the state parks special revenue fund under**
41 **IC 14-19-4 before its repeal by this act; and**

42 **(2) any money in the reservoirs special revenue fund under**

C
O
P
Y



1 **IC 14-19-5 before its repeal by this act;**
 2 **shall be transferred by the department of natural resources to the**
 3 **state parks and reservoirs special revenue fund established by**
 4 **IC 14-19-8-2, as added by this act.**
 5 **(b) This SECTION expires July 2, 2003.**

C
o
p
y

